

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION**

No. 5:12-CV-00620-BR

JANE E. MILLER, personal representative of)
the Estate of Robert Wesley Miller)
)
Plaintiffs,)
v.)
)
3M COMPANY a/k/a MINNESOTA)
MINING & MANUFACTURING)
COMPANY et al.,)
)
Defendants.)

ORDER

This matter is before the Court on the Joint Motion to Dismiss Plaintiff's claims against only Defendant NAVISTAR, INC. pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure. There being no opposition, the motion is ALLOWED. IT IS THEREFORE ORDERED that Plaintiff's claims against Defendant NAVISTAR, INC., ONLY, are hereby DISMISSED WITH PREJUDICE, with each party to bear its own costs.

This 22 September 2014.



W. Earl Britt
Senior U.S. District Judge